

### **REMARKS/ARGUMENTS**

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action; and Applicants request that the application be favorably reconsidered in view of the remarks made herein.

Claims 1 and 6 are amended.

Claims 1–4 and 7–10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. (JP Patent 11-312285, Machine Translation) in view of Tognazzini (U.S. Patent No. 5,914,675) and further in view of Shachar et al. (U.S. Patent No. 5,764,736). Traversal of this rejection is made for at least the following reasons. With regards to independent claim 1, the Examiner concedes that the combination of Yoshida and Tognazzini fails to teach that the on-vehicle terminal main unit and the mobile terminal can communicate with each other via second radio communication means, and that if the first radio communication means has finished transmitting the predetermined data to the information service center, the mobile terminal has the second radio communication means transmit data for voice communication to the information service center via the on-vehicle terminal main unit and the radio communication means in the on-vehicle terminal main unit communicates with the information service provider. Thus, the Examiner relies on Shachar in an attempt to make up for the aforementioned deficiencies of Yoshida and Tognazzini.

However, Shachar merely discloses methods for switching from a data session to a voice session between two systems, namely, a data communication terminal 100 (e.g., personal computer, screen phone) and a service provider 124 (i.e., a vendor of goods and services). In other words, Shachar is directed to permitting the exchange of vendor-related information over a communication network, in which a data connection is established between the terminal 100 and

the service provider 124. Then, upon selection by a user of the terminal 100, a voice connection can be made to the service provider 124 and the data connection can be suspended. Once the voice communications are completed, the voice connection is terminated and the data connection is resumed/re-established. There is nothing within Shachar that discloses, teaches, or suggests communications between an on-vehicle unit and an information service center over a first radio communications means and communications between the on-vehicle unit and a mobile terminal over a second radio communications means. Further, there is nothing within Shachar that discloses, teaches, or suggests that if the first radio communications means has finished transmitting the predetermined data to the information service center, the mobile terminal then has the second radio communications means transmit data for voice communication to the information service center *via the on-vehicle unit*, as required by claim 1 of the present invention.

As stated above, Shachar only teaches voice and data communications between a terminal operated by a user, who is defined in Shachar as “one who is interested in purchasing goods/services”, and a service provider, who is defined in Shachar as “a vendor of goods and/or services.” Moreover, Shachar discloses that any communications (data or voice) occurring between the user and the vendor is initiated by one of the user and the vendor. For these reasons, Applicants strongly disagree with the Examiner’s contention that one skilled in the art would have been motivated to modify the system of Yoshida and Tognazzini by incorporating the features of Shachar for the purpose of providing a way for the vehicle to communicate with the information service provider even in the absence of a mobile user. It is unclear how a system disclosing direct voice and data communications between a user system and a vendor system would motivate one skilled in the art to modify Yoshida and/or Tognazzini to provided voice communications between a mobile terminal and an information service center via an on-vehicle

unit after the mobile terminal has completed data communications with the information service center.

As stated in previous amendments, Yoshida discloses a first radio-transmission means 33 of a cell phone unit 32 that transmits data to an emergency center via a modem 34. When the first radio-transmission means 33 is done transmitting data, the system automatically switches to the second radio-transmission means 35, which is connected to the hand set 36, so that a user can start speech communication directly with the emergency center. *No instructions are given from the hand set 36 to the data communication means 33, 34 to transmit data to the emergency center.* The hand set 36 is merely employed to facilitate voice communications directly between a user and the emergency center via the 2<sup>nd</sup> radio-transmission means 35. In fact, Yoshida explicitly discloses that the communications control means 52 of the emergency relief center 2 detects the end of data transmission and returns a signal (ACK) to the CPU 41 of the vehicle. The CPU 41 then connects the hand set 36 to start speech communication between the crew in the vehicle and the emergency center. See paragraphs [0039]–[0040]. Likewise, in Tognazzini, a portable locator device 10 communicates directly with an emergency receiver system 12 and vice versa. There is nothing in either reference that discloses, teaches, or suggests providing voice communications between a mobile terminal and an information service center *via an on-vehicle unit* after the mobile terminal has completed data communications with the information service center.

Regarding, independent claim 7, the Examiner concedes that the combination of Yoshida and Tognazzini fails to teach that the radio communication means in the on-vehicle terminal main unit communicates with the information service provider. Thus, the Examiner relies on Shachar in an attempt to make up for these deficiencies. Specifically, the Examiner contends, “Shachar discloses a vehicle communication system in which a radio communication means in

the on-vehicle terminal main unit communicates with the information service provider.” Applicants strongly disagree with this characterization of Shachar. Shachar does not disclose a vehicle communication system or anything similar or equivalent to a vehicle communication system. Instead, Shachar discloses a communication network for communication between a user interested in purchasing goods/services and a vendor or goods and/or services. Accordingly, Shachar also fails to disclose an on-vehicle terminal main unit. The only terminals disclosed in Shachar are personal computers and screen phones. Further, the Examiner states that Shachar discloses communication with an information service provider. The claims of the present invention are not concerned with communications with an information service *provider*. Rather, the claims of the present invention require communications between a mobile terminal, an on-vehicle terminal main unit, and an information service *center*. Information service providers, as defined in Shachar as a vendor of goods and/or services, are not equivalent to the claimed information service centers.

Further, as discussed above, each of the cited references, Yoshida, Tognazzini, and Shachar only disclose voice and data communications between two systems. Yoshida discloses voice and data communications between a cell phone unit and an emergency center; Tognazzini discloses voice and data communications between a portable locator device and an emergency receiver system; and Shachar discloses voice and data communication between a user terminal and a vendor terminal. None of the cited references, alone or in combination, teaches or suggests a mobile terminal transmitting data to an on-vehicle terminal main unit, which then transmits the data to an information service center, as required by claim 7.

Because, neither Yoshida, Tognazzini, nor Shachar, individually or in combination, teach or each and every limitation as set forth in claims 1 and 7, the combination of Yoshida,

Tognazzini, and Shachar cannot render claims 1 or 7 obvious. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33791.

Respectfully submitted,  
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